



**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES OF THE
TOWN OF BUENA VISTA, COLORADO**

July 26, 2016

CALL TO ORDER :00

A Regular meeting of the Board of Trustees was called to order at 6:59 PM on Tuesday, July 12, 2016, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Pro Tem Puckett. Present were Trustees Lawanna Best, Eric Gibb, Mark Jenkins, Duff Lacy, Phillip Puckett and David Volpe. Town Staff present were Town Administrator Brandy Reitter, Town Attorney Kathryn Sellars, Principal Planner Mark Doering, Planner I Scott Reynolds, Treasurer Michelle Stoke, Public Works Director Greg Maggard, Assistant to the Town Administrator Emily Katsimpalis, Fire Chief Dixon Villers, Airport Manager Jill VanDeel, and Town Clerk Janell Sciacca.

ROLL CALL :14

Town Clerk Sciacca proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE :30

Mayor Pro Tem Puckett led the Pledge of Allegiance.

AGENDA ADOPTION 01:12

Motion #1 by Trustee Lacy and seconded by Trustee Gibb to approve the agenda as presented.
Motion carried, 5-0.

CONSENT AGENDA 01:35

A. Minutes

1. Regular Meeting – July 12, 2016
2. Planning & Zoning – June 15, 2016
3. Planning & Zoning – July 6, 2016
4. Airport – May 19, 2016
5. Airport – June 21, 2016
6. Recreation – June 8, 2016
7. Beautification – June 2, 2016
8. Water – April 20, 2016
9. Economic Vitality – May 17, 2016
10. Economic Vitality – June 21, 2016

B. Should the Board of Trustees approve adoption of Resolution #68 entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN EASEMENT WITH FIRST BAPTIST CHURCH FOR EMERGENCY AND PUBLIC ACCESS."?

C. Should the Board of Trustees approve adoption of Resolution #69 entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A THIRD AMENDMENT TO THE AGREEMENT WITH CLARION ASSOCIATES, LLC, TO EXTEND THE COMPLETION DATE FOR THE REVISED LAND USE CODE."?

D. Madison House Presents Amended License Agreement.

E. Buena Vista School District R-31 Amended Memorandum of Understanding.

Gibb inquired about the true date of the Employee BBQ as in the minutes of the July 12 meeting the date is listed July 30 and the invitation received is for July 31. Reitter replied the date was changed due to a conflicting event. Reitter then stated the amended Madison House Presents contract was received last evening and forwarded to the Trustees earlier in the day. She reviewed the changes for the Trustees and viewing public. She added that Staff and the attorneys were ok with the requested changes.

Motion #2 by Trustee Lacy and seconded by Trustee Gibb to approve the Consent Agenda as amended. **Motion carried, 5-0.**

POLICY DISCUSSION – Parklets in Downtown 05:40

Doering presented reviewing the Staff Report. He reminded the Board they requested this policy. Staff reviewed many policies, but liked Salida's policy best so the proposed BV policy emulates that one. Gibb inquired if there were thoughts regarding limiting square footage. Doering replied that could be done if the Board desired. Puckett read that there is a limit in the policy. Jenkins asked what the moratorium timeframe was. Sellars clarified it was approved for 180 days. Gibb wondered if there might be some need to wait to see if there were any unseen issues that need to be addressed that might arise throughout the winter. Reitter stated that Salida did the same thing by approving one and then waiting 1 year to approve any others. Lacy felt the Board could wait on a policy but he wanted to see the associated fees implemented. Puckett felt there was more consideration to be had. Jenkins also felt the Board needed to be conformable with an entire Main Street design. Gibb would like to see square foot and number limits. Lacy inquired if discussions for this type of use by other businesses were had. Puckett replied they were not. After additional discussion about fairness, Volpe stated he would like to hear from the students who are conducting the downtown parking study. Lacy again stated the use needed to go on the fee schedule. Gibb agreed. Doering stated Staff would bring back Resolutions extending the moratorium and amending the fee schedule. The Board agreed to extend the moratorium to April 11.

Motion #3 by Trustee Lacy and seconded by Trustee Gibb for Staff to bring back an amended fee schedule. **Motion carried, 5-0.**

PUBLIC COMMENT 23:28

Shawnelle Daniels, Crossman Avenue, speaking on behalf of Crossman residents. Has lived there for a little over 2 years and has noticed a speeding problem. There is little regard to the residents, businesses, people walking, etc. She erected a slow sign and people have become aggressive to them and she was proposing to put out Slow Children Playing or Drive Like Your Children Live Here, an electric sign that displays the speed or speed bumps, or cameras that take photos with tickets sent in the mail. She wanted to know what she can do to ensure the things she is asking for can be done.

Earl Richmond, 412 Cedar, thanked the Town and the Tree Board. Has lived there 16 years and has experienced the same things as Daniels. He spoke with Maggard who encouraged him to address the Tree Board and 6 trees were planted along the road. Now people are parking on the street which works to slow the traffic. He is excited that the Tree Board will be asking for more trees in the future.

Earl Richmond, 412 Cedar, on behalf of the BV Rec Board. Currently working on skate park and community center upgrades, ice rink, improving the Rodeo grounds and McPhelmy Park upgrades. The Rec Board would like to see a Work Session in September to discuss the Conservation Trust Fund for 2017.

RESPONSE TO PUBLIC COMMENT 32:21

Mayor Pro Tem Puckett thanked Daniels and stated he understands the concerns. Maggard stated he purchased 4 digital, programmable speed signs and one will be installed on Crossman. It will be 6-8 weeks before they arrive. One will also be installed on South Main. Puckett stated to Richmond that a work session makes good sense and the Board will let Staff work out a schedule for that. Jenkins reported that he attended his first Rec Board meeting. Gibb asked who makes the decisions as to where stop signs go. Maggard stated that he spoke to Chief Tidwell about the speed signs that will be installed. As far as stop signs, it is related to design. Gibb asked if people requesting signs should be referred to him. Maggard replied yes and then he would probably consult with Chief Tidwell and look at tickets issued, accidents, etc.

BUSINESS ITEMS

PUBLIC HEARING – Should the Board of Trustees approve adoption of Resolution #70 entitled “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO,

APPROVING A SPECIAL USE PERMIT FOR 620 ANTERO CIRCLE, BUENA VISTA, COLORADO.?
36:45

Applicant Marcus Trusty stated he was requesting reallocation of this permit. It was previously granted in February 2015. The project is essentially the same, but it took longer to materialize. The one change is to the left side of the building which is a larger proposed parking area due to the increased usage of their facility. Reynolds presented the Staff Report and reviewed a PowerPoint presentation detailing the specifics of the subject request. Gibb noted a Planning & Zoning discussion about the trash containers needing to be in a different area. Reynolds replied the current placement is in a utility easement and Staff is working with the applicant and general contractor to find an appropriate location.

Puckett opened the Public Hearing and there being no one wanting to address the item he closed the floor to public comment and closed the Public Hearing.

Motion #4 by Trustee Lacy and seconded by Trustee Gibb to approve adoption of Resolution #70 as presented with five (5) conditions. **Motion carried, 5-0.**

Should the Board of Trustees approve adoption of Resolution #71 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO ADOPTING THE CHAFFEE COUNTY EMERGENCY OPERATIONS PLAN.**"? 50:02

Reitter presented reviewing the Staff Report. EMS Manager Phil Graham requested this. The document expands on the Buena Vista plan that was adopted earlier in the year. Lacy asked what happens to the existing plan. Reitter stated it will be replaced and future amendments will be made by the County and approved and signed off on by the Board.

Motion #5 by Trustee Gibb and seconded by Trustee Jenkins to approve adoption of Resolution #71 as presented. **Motion carried, 5-0.**

Should the Board of Trustees approve adoption of Resolution #72 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO APPROVING THE TOWN TO SUBMIT AN APPLICATION TO THE STATE OF COLORADO HISTORIC PRESERVATION OFFICER (SHPO) REQUESTING DESIGNATION AS A CERTIFIED LOCAL GOVERNMENT (CLG).**"? 55:15

Katsimpalis presented reviewing the Staff Report. Puckett clarified that the Town had to approve the Ordinance at the last meeting for this to happen. Many historic towns have these such as Salida, Montrose, Manitou Springs. Katsimpalis added that this would allow the Town to apply for grants. One of them being for the historic structure assessment. Gibb said he has concerned about consistency of the Town's historic strategy and he would be abstaining from voting since he was not at the previous meeting where the associated Ordinance was approved.

Motion #6 by Trustee Lacy and seconded by Trustee Jenkins to approve adoption of Resolution #72 as presented. **Motion carried, 5-0.**

Should the Board of Trustees approve adoption of Resolution #73 entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO, ESTABLISHING A REMOTE PARTICIPATION POLICY FOR BOARD OF TRUSTEES MEMBERS DURING A STATE OF DECLARED LOCAL EMERGENCY.**"? 01:00:25

Reitter presented reviewing the Staff Report. Puckett thanked Lacy for bringing this up. He questioned Section 1. A. Sellars replied the point is that if a Trustee is not able to attend a meeting in person for some reason, the meeting will not be delayed so long as there is a quorum. Sellars also clarified a quorum can shift for vacancy reasons.

Motion #7 by Trustee Jenkins and seconded by Trustee Lacy to approve Resolution #73 as presented. **Motion carried, 5-0.**

Should the Board of Trustees approve adoption of Ordinance #16 entitled "**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING THE BUENA VISTA MUNICIPAL CODE BY THE**

ADDITION OF A NEW ARTICLE XVI WITHIN CHAPTER 2 TO ADDRESS EMERGENCY MANAGEMENT PROCEDURES AND MAKING OTHER RELATED REVISIONS.”? 01:05:42

Reitter presented reviewing the Staff Report. This puts some definitions in place in the code for clarification. It is being presented as a DRAFT and feedback is being solicited. Gibb reminded that at a meeting in Estes Park they were made aware that Town has a binder that could be opened if the Town Administrator were gone. Reitter stated that the Town is working on a manual and there is also a PIO group to form plans for communicating during emergencies. Lacy asked about the 48 hour limit in 2-322(c). Sellars stated there has to be a limit and the Trustees can make it longer or shorter. Lacy felt the Board should be able to meet with little to no notice in emergency situations. Sellars stated that there is an argument that a Home Rule municipality can do this. It came from the Town of Marble. The Board can take a risk, but there could be liability depending on the situation. The Board generally agreed to add wording that a meeting can take place in less than 24 hours in a declared emergency. The Board discussed an amount for 2-323(5)(a). Reitter stated this did come up in the Managers' listserv and there were a lot of differences based upon the size of the Town and budget. Lacy felt \$75,000 was reasonable. Gibb and Jenkins agreed. Villers clarified there are 5 levels of emergency and anything that goes into 2 days or more then the Board is notified and makes the decision as to where the \$75,000 goes. After additional discussion the Board agreed on \$75,000.

Motion #8 by Trustee Lacy and seconded by Trustee Gibb to bring Ordinance #16 back on August 10, 2016 for Board consideration. **Motion carried, 5-0.**

Intergovernmental Agreement with Chaffee County for Paving of CR 317. 01:24:40

Reitter presented the Staff Report. There was discussion about the existing arrangements for plowing and maintenance. Maggard clarified the current responsibilities and the Board agreed to strike the last sentence of Section 2 on page 1 indicating the Town would take over maintenance, repair and snowplowing of CR 317.

Motion #9 by Trustee Lacy and seconded by Trustee Gibb to approve the IGA with Chaffee County for paving of CR 317 as amended. **Motion carried, 5-0. Best, aye; Gibb, aye; Jenkins, aye; Lacy, aye; Puckett, aye.**

The Board of Trustees took a break at 8:36 PM and returned to the regular meeting at 8:42PM.

Beldan Complete Streets Discussion. 01:42:58

Maggard presented. He reminded this was requested by the Board and Beldan will be the example. He reviewed the different drawings in the packet and stated he received the most positive feedback on Section #5 which is 56-60' ROW with on-street parking, curb and gutter or infiltration gallery, landscape areas and detached sidewalk. Puckett felt that if the patterns of parking down Main Street were looked at that on street parking would be an important aspect. He liked planters, not trees, and paving of 20 feet with parking on dirt and infiltration instead of curb and gutter. Gibb felt it was important they be consistent with the Living Streets Policy. Haggard replied he did reference that but it does not address specific design.

Motion #10 by Trustee Puckett and seconded by Trustee Lacy to approve Section #5 street design with a 20 foot paved drive lane, 8 foot dirt parking, infiltration gallery, tree spaces and detached sidewalks. **Motion carried, 5-0.**

Land Swap Agreements with Buena Vista School District. 02:04:03

Reitter presented reviewing the Staff Report. She stated these are a carryover from conversations Town has had with BVSD and need to be executed by August 22 if the Board agrees. Reitter also reviewed the basics of each of the three (3) agreements. She requested feedback from the Trustees and then will take them to the BVSD School Board for review before coming back to the Board for formal consideration.

Gibb stated he is a huge supporter and this is a win-win. The School Board is looking for equal value for the Baseball Field. He stated the Town's cost of building the new field is essentially the Town's donation to affordable housing. Reitter agreed. Gibb stated he did not want to have the work stymied by the

Board's lack of willingness to give \$800,000 for affordable housing. Reitter stated the grants are key to success of this project and she would never suggest sticking the Town with a \$1,000,000 bill. Gibb stated his personal view was that he believes in \$250,000 for affordable housing versus \$500,000. Puckett felt more discussion was definitely needed. The Board did not request any changes at this time.

Motion #11 by Trustee Gibb and seconded by Trustee Lacy to send these agreements to the Buena Vista School District. **Motion carried, 5-0.**

Presentation of 2nd Quarter Financial Report. 02:18:30

Stoke presented reviewing the Staff Report. There are four (4) reports attached and at this time the Town is almost 41% expended at half way through the year. Mayor Benson requested the reserve reports. Stoke wants to perform a Risk Analysis in a work session to determine what a more appropriate reserve percentage should be. The Board agreed it was a good discussion to have. Sales tax is well ahead every month. Gibb noted that sales tax has doubled in the last 4 years. Stoke agreed it had at least doubled and maybe more. The trend is upwards with 12% higher than last year. Puckett felt this was the best financial report seen by the Board in 5 years. Gibb thanked Stoke for the report.

Review of Policy Goals for 2nd Quarter. 02:36:43

Reitter presented reviewing the Staff Report. Gibb asked if the water tank was put off until next year. Reitter replied yes because it takes a long time to get through the State. Gibb felt it would be important to revisit and clarify the plan for allocating infrastructure monies before budgeting out infrastructure for 2017. Puckett agreed it was a good point and they should not just put a check mark next to that item as being done - the Board needs to look at and evaluate results. Gibb also mentioned how important the IGA with Chaffee County is. Reitter stated she was working on it and will get it done before the end of the year. Gibb also felt big water issues are important. He felt there needed to be more policy discussion about the historical moves being made in town and he wanted to know what the objectives are and wanted to see the subject on the policy discussion list.

STAFF REPORTS

Town Administrator 02:52:18

- Town Employee Picnic is Sunday, July 31 at River Park Pavilion
- TPR meeting is August 4 in Alamosa
- CDOT Highway 24 Public Meeting is at the Public Library on August 2
- Recreation Programs are doing well bringing in over \$33,783 so far in 2016
- Kudos to Public Works for extending the Railroad Trail
- Town received a grant to complete an Economic Vitality Strategy
- Historic Preservation Commission members are being sought
- Kudos to Public Works, BV Main Street and DOC for Railroad Parking Lot improvements
- Puckett liked the banners on Main street that were put up by Sangre de Cristo
- Lacy advised the contract for park designs needs to be kept under tight reign or the Architect and Engineer will build a \$1,000,000 ball field
- Puckett asked about paving for the parking lot by the Tennis court and Public Works will look at it for next year

Town Treasurer 02:58:35

- Most recent sales tax report attached and May is well above last year as is total for the entire year
- Stressed Importance of making sure Town purchases for goods and service are tax exempt
- Expenditures are in the packet

Town Clerk 03:01:27

- Report is in packet with nothing exciting to report

Principal Planner 03:02:05

- Received comments from Steering Committee on UDC which were provided to Clarion

- Thanked the Board for amending Subdivision Ordinance which allowed for resolution to eyesore matter on San Juan Avenue
- Code Enforcement was informed that Vertex is interested in accoutrements at junk property on Colorado and Arkansas
- Puckett suggested contacting former developers and telling them about the UDC

Airport Manager 03:06:40

- Airport has been busy which is a good sign
- HAATS BBQ was a big hit with over 80 people attending and 10 helicopters
- Have had more jets on the pad and will need to put in more hard stand
- Jay Jones Memorial is Saturday, July 30 in the hangar
- Lease template is ready for Carpenter hangar tenants
- Bell will not be testing at Airport due to a crash that destroyed the helicopter and killed the crew
- Plans are in works for a new hangar at the south end of Hangar B
- 10,000 gallons ahead on fuel sales of 2 years ago

TRUSTEE/STAFF INTERACTION 03:14:43

Maggard reminded the CDOT Public Meeting is August 2 at 5 PM at the Library. Construction is set to begin August 8.

Reitter stated she knew it was a priority for the Board to have feedback on the development process and surveys are being handed out with participation being encouraged with the chance to win a gift card to City Market. She is also working with Christy Culp from DOLA to do a development forum. Doering noted for the Board that a proposed change in the UDC is to change the SUP approval process to allow for a 3 year approval instead of a 1 year approval. Sellars added there was also possibility of a 1 year extension.

Lacy asked Maggard when he says they did a project out of the budget, what was given up that the Town is using to do something that was already in the budget. Maggard replied not necessarily anything. Lacy was not seeing a lot of chip seal going on. Maggard is working on an asphalt paving bid with patching. Lacy felt streets were gradually deteriorating. Lacy stated it was amazing how much the Rodeo Road Trail is being used and people are also driving on it. Maggard stated striping will be done next week. A line was put in at 306 where people were taking a left turn on it. Volpe added that he had received a comment from a cyclist requesting a barrier instead of a strip.

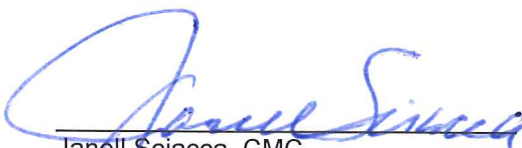
Motion #12 by Trustee Lacy and seconded by Trustee Gibb to approve the fee waiver for Habitat for Humanity. **Motion carried, 5-0**

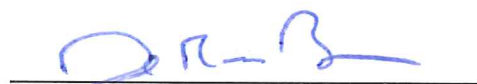
Puckett reported the next Board of Trustee meeting is Wednesday, August 10. The Trustees then scheduled a breakfast meeting on Tuesday, August 9 at 7:00 AM at Jan's.

ADJOURNMENT 03:25:37

Motion #13 by Trustee Lacy and seconded by Trustee Gibb, noting that there being no further business to come before the Board, declared that the meeting be adjourned at 10:25PM. **Motion carried, 5-0.**

Respectfully submitted:


Janell Sciacca, CMC
Town Clerk


Joel Benson, Mayor